



Town of Groton, Connecticut

Meeting Agenda

Town Council

45 Fort Hill Road
Groton, CT 06340-4394
Town Clerk (860)441-6640
Town Manager (860)441-6630

Mayor Harry A. Watson, Councilors Heather Sherman Bond, Kathryn M. Brown-Tracy, Catherine Kolnaski, Deborah B. Monteiro, Frank O'Beirne, Jr., Rita M. Schmidt, Paulann H. Sheets, and James L. Streeter

Tuesday, December 18, 2007

7:30 PM

Town Hall Annex - Community Room 1

REGULAR MEETING

I. ROLL CALL

II. SALUTE TO THE FLAG

III. RECOGNITION, AWARDS & MEMORIALS

IV. CITIZENS' PETITIONS, COMMENTS AND CONCERNS

This is the portion of the Council Agenda where the Council welcomes comments from citizens. Each presentation should be limited to ten minutes or less, and citizens should, if possible, submit written comments. Presentations should be related to matters pertinent to Groton. Town Councilors will only ask questions in order to clarify the speaker's presentation and can respond during the Responses to Citizens' Petitions portion of the Town Council meeting. Citizens should make their presentations from the lectern and state their names and addresses for the record.

V. RESPONSES TO CITIZENS' PETITIONS, COMMENTS AND CONCERNS

VI. CONSENT CALENDAR

All matters listed under Item VI (Consent Calendar) are considered to be routine and will be enacted by one motion. No separate discussion of these items will take place, unless cause is shown prior to the time Council votes on the motion to adopt.

a. Approval of Minutes

2007-0297 Approval of Minutes (Town Council)

Resolution - Consent

RESOLUTION ACCEPTING TOWN COUNCIL MINUTES

RESOLVED, that the minutes of the Town Council meeting of December 4, 2007 are hereby accepted and approved.

b. Deletions from the Town Council Referral List

2006-0120	Community Wide Police Study	Referral
2006-0317	Impact of State Campaign Finance Law on Groton	Referral
2007-0017	Re-establishment of Tolls on Connecticut Interstate Highways	Referral
2007-0117	Tax Impact on Non-Residential Property	Referral
2007-0141	Impact of Revaluation Phase-In	Referral
2007-0211	Panhandling Ordinance	Referral
2007-0295	Contract Agreement Between the Groton Board of Education and the Association of Groton School Administrators	Referral
2007-0289	Chelsea Groton Foundation Grant - Arts Cafe	Referral

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| 2007-0166 | Request for Financial Incentive - Groton Hospitality, LLC | Referral |
| 2007-0291 | Appointment of Other Attorneys | Referral |
| 2007-0293 | Groton Utilities Easement - Catherine Kolnaski School | Referral |

c. Special Trust Fund Contributions

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| 2007-0287 | Special Trust Fund Contributions | Resolution - Consent |
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RESOLUTION ACCEPTING CONTRIBUTIONS TO SPECIAL TRUST FUNDS

RESOLVED, that the Town Council hereby accepts contributions to the Town as follows:

A. H. Gildersleeve - \$150.00 - Library Discretionary
Various Donations - \$1,295.00 - Groton Utilities Energy Assistance Program
Groton Utilities Matching Funds - \$661.86 - Groton Utilities Energy Assistance Program
Annie and Benjamin H. Philbrick - \$50.00 - Arts Cafe
Pfizer Foundation Volunteer Program - \$1,000.00 - Library Discretionary
Madeleine Provost (in memory of Annie Haddon) - \$75.00 - Animal Shelter

VII. COMMUNICATION REPORTS (Other than Committee Reports)

- a. Town Councilors
- b. Representative Town Meeting
- c. Clerk of the Council
- d. Town Manager
- e. Town Attorney

VIII. COMMITTEE REPORTS

- a. Community & Cultural Development - Chairman Brown-Tracy
- b. Economic Development - Chairman Bond
- c. Education (II)/Health & Social Services - Chairman Kolnaski
- d. Environment/Energy - Chairman Sheets
- e. Finance - Chairman Schmidt
- f. Personnel/Appointments/Rules - Chairman O'Beirne
- g. Public Safety - Chairman Streeter
- h. Public Works/Recreation - Chairman Monteiro
- i. Committee of the Whole - Mayor Watson

IX. UNFINISHED BUSINESS**X. NEW BUSINESS**

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| 2007-0289 | Chelsea Groton Foundation Grant - Arts Cafe | Referral |
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RESOLUTION AUTHORIZING A GRANT FROM THE CHELSEA GROTON FOUNDATION
FOR ARTS CAFÉ - MYSTIC

WHEREAS, the Arts Café - Mystic program, which is now in its fourteenth year, is a national

award-winning performance series that depends on grants for its operations each year, and

WHEREAS, the program currently needs funding to pay for featured writers, musicians and local voices for the three Spring, 2008, performances, and

WHEREAS, a grant from the Chelsea Groton Foundation would help to fund such performances, now therefore be it

RESOLVED, that the Town Manager may apply for a grant of \$3,500 from the Chelsea Groton Foundation.

Legislative History

12/3/2007	Mayor	Referred	Town Council Finance Commi
12/11/2007	Town Council Finance Committee	Recommended for a Resolution	
2007-0166	Request for Financial Incentive - Groton Hospitality, LLC		Referral

RESOLUTION APPROVING A TAX INCENTIVE FOR GROTON HOSPITALITY, LLC

WHEREAS, the Town of Groton may offer tax and other financial incentives to encourage quality development when the Town Council deems such action to be in the best interest of the community, and

WHEREAS, an enhanced and upgraded building façade for a new hotel is desirable for its appearance and for the fact that it will add value to the building, thus increasing its long term assessment, and

WHEREAS, the Hilton Garden Inn constructed by Groton Hospitality, LLC on Gold Star Highway provides several appearance enhancements that meet the Town Council's expectations, and

WHEREAS, the Town Council has considered three approaches to calculating an abatement and has chosen the smaller of the alternatives, now therefore be it

RESOLVED, that the Town Council grants to Groton Hospitality, LLC an abatement of \$61,125 in the first tax year of their operation, and be it

FURTHER RESOLVED, that the Town Manager may enter into an agreement with the property owner/developer to assure that all terms and conditions of the granted financial incentive will be met.

Legislative History

6/26/2007	Mayor	Referred	Town Council Economic Devel
7/10/2007	Town Council Economic Development Committee	Discussed	
8/28/2007	Town Council Economic Development Committee	Discussed	
11/13/2007	Town Council Committee of the Whole	Discussed	

Town Manager Oefinger noted this item is on the agenda to schedule a public hearing. Councilor O'Beirne suggested that if the Town Council denies the request, there is no need for a public hearing. He stated that he does not feel this request meets the criteria of the policy established by the Town Council and that the incentive should only be offered to new businesses, not those already built. Councilor O'Beirne feels this is not an incentive, but more of a reward.

Councilor Schmidt noted specifics of the proposal discussed in the Economic Development Committee. Councilor Monteiro stated that the policy also refers to "expansion" which does not limit the policy to new

businesses. Councilor Streeter agreed that the Council does not have to have a public hearing. Councilor Kolnaski supported a public hearing to gather information. Councilor Sheets expressed concern, but would like to hear from the public.

Councilor Bond arrived at 6:58 p.m. She explained that the developer originally requested a very aggressive abatement, and staff was able to negotiate a different abatement schedule. The developer was ill during the time that he would normally have requested the abatement which is why the request came so late in the construction schedule. Councilor Bond feels a public hearing will allow the public to comment on the Council's policy of granting incentives.

**11/13/2007 Town Council Committee of Motion
the Whole**

to schedule a public hearing on December 4, 2007

12/4/2007 Town Council Heard at Public Hearing

Mayor Watson noted that a legal notice was not published since a public hearing was not required. He stated that this public hearing is being held to solicit public comments.

Town Manager Mark Oefinger suggested that the applicant make a short presentation about the project. He clarified that a "Notice" block ad had appeared in the newspaper.

Matt Greene, attorney for the developer of the Hilton Garden Inn on Route 184 gave a history of the project. He cited the requirements and numerous upgrades that increased the developer's costs. Noting the benefits to the Town he requested that the Council consider giving a tax abatement even though the abatement was not requested at the customary time.

Mariellen French, 12 Little Gull Lane, Mystic, noted that she served on the Committee to Consider Tax Relief for Seniors. She stated that the Committee had been very careful to be fair to all taxpayers with their recommendations. She is opposed to providing a tax credit since that money will have to come out of the pockets of taxpayers. She feels that the Town is shifting the tax burden from commercial property owners to homeowners. She is against providing a tax credit for businesses that improve the appearance of their properties since residential homeowners are penalized with higher taxes for home improvements. She asked the Council to consider the overburdened taxpayers of Groton when making their decision on this request.

Peter Pappas, 33 Island Circle South, stated that he is chairman of the Economic Development Commission which is in favor of this incentive for businesses. He suggested that the Town may benefit by granting the incentive after completion of a project since developers would not be extorting the available incentives from the Town or threatening to locate in a neighboring town. Mr. Pappas mentioned that approval of this incentive would be an example that the Town of Groton is business-friendly. He noted that no additional services were needed for police, sewer, streets or water that would impact the Town's budget.

Joan Steinfeld, 32 Valley Road, congratulated the new and returning Councilors. She spoke about estimated costs and suggested that the developer has a responsibility to watch over expenditures. She is opposed to the tax abatement in spite of the fact that she is in favor of development. She believes that the developer should have followed the normal process and that approval now is out of order. She feels that approval would affect taxpayers' pockets. She stated that the Council and RTM often hear requests to hold the line on taxes and that this could be setting a precedent for future developments that will affect the taxpayers.

Don Wood, 298 Meridian Street, stated that he believes that the Hilton Garden Inn should be granted the same tax abatements as Mystic Marriott. He feels that it would be unconstitutional if the Town fails to treat all developers the same. He does not feel that this action will open the Town to a flood of development. He feels that all businesses and citizens should be treated fairly and equally.

Nancy Keenan, 2 Spyglass Circle, manager of Groton Inn & Suites, feels that the incentive should be granted. It would benefit the Town by increasing the ability to attract larger conferences to the area by accommodating overflow from their facility. She stated that the project fits well with the Planning Department's concepts of multi-use and clustering of development.

There being no further comments, Mayor Watson closed the Public Hearing at 8:05 p.m.

**12/11/2007 Town Council Committee of Recommended for a
the Whole Resolution**

2007-0291 Appointment of Other Attorneys

Referral

RESOLUTION APPOINTING OTHER ATTORNEYS AS RECOMMENDED BY THE TOWN ATTORNEY

WHEREAS, the Town Charter, at 5.1, provides that the Town Attorney may, with the approval of the Town Council, appoint attorneys to perform specialized services or otherwise to assist the Town Attorney, and

WHEREAS, it has been advantageous for the Town and for the Board of Education to have attorneys appointed for particular issues and assignments and for cases where the Town Attorney and associates cannot for other reasons (e.g., conflicts) represent the Town, and

WHEREAS, the Town Attorney is empowered by the Charter to recommend the terms of employment of such attorneys, therefore be it

RESOLVED, that pursuant to the recommendation of Town Attorney Duggan, the following attorneys may be appointed and continue to serve in the assignments indicated, under terms prescribed by the Town Attorney, until such time as their replacements may be approved by the Town Council:

Board of Education Attorneys (from Berchem, Moses & Devlin, P.C.)

Marsha B. Moses
Michelle C. Laubin
Carolyn Dugas
Floyd J. Dugas
Warren L. Holcomb
Thomas Carroll
Melanie Brooks

Bond Counsel (from Day Pitney, LLP)

Theodore See
Doug Gillette
Sam Caligiuri
Judith Blank
Namita Shah
Peter Wilson

Other Attorneys

Edward O'Connell - Property and Litigation Issues
Tricia Haught Foley - Environmental Issues

Legislative History

12/5/2007	Mayor	Referred	Town Council Committee of t
12/11/2007	Town Council Committee of the Whole	Recommended for a Resolution	
2007-0293	Groton Utilities Easement - Catherine Kolnaski School		Referral

RESOLUTION APPROVING A UTILITIES EASEMENT IN FAVOR OF GROTON UTILITIES

WHEREAS, a utility easement in favor of Groton Utilities is needed to provide utilities services to the site of the Catherine Kolnaski School, presently under construction, now therefore be it

RESOLVED, that the Town Council grants the requested utility easement and that the Town Manager may execute any required ancillary documents in favor of Groton Utilities, Inc., as are necessary to provide all needed utility services to the site of the Catherine Kolnaski School.

Legislative History

12/5/2007	Mayor	Referred	Town Council Committee of th
12/11/2007	Town Council Committee of the Whole	Recommended for a Resolution	

XI. OTHER BUSINESS**XII. ADJOURNMENT**